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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,961	09/28/2001	Ian Forbes Donald	M/ME/00v888US	8689

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EXAMINER

MARKS, CHRISTINA M

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,961

Applicant(s)

DONALD ET AL.

Examiner

C. Marks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The Examiner acknowledges the proper information disclosure enclosed in paper number 4; however, the listing of references in the specification (US Patent No. 5,630,757, page 3, line 4; US Patent No. 5,669,817, page 3, line 17; US Patent No. 4,372,558, page 3, line 27, US Patent No. 5,762,552, page 4, line 1; US Patent No. 5,800,268, page 4, line 15) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the Examiner on form PTO-892, they have not been considered.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "player card containing pre-recorded biometric data" (Claim 1, 17, and 22), "biometric reader at player station" (Claims 1, 2, 17, and 22) "card reader/recorder interface" (Claims 2, 3, 17), "croupier card reader/recorder interface" (Claims 5, 7, and 26), "biometric reader at croupier station" (Claim 6 and 26), "croupier card containing pre-recorded biometric data" (Claim 6, 7, and 26), "encryption of signals" (Claim 8 and 9) "EFTPOS connectable to a bank" (Claim 11), "chip card with a fingerprint reader" (Claim 14), "encrypted data relating to date or time or maximum money" (Claims 15 and 16), "comparator at player station to compare biometrics within the card to derived biometrics" (Claims 1, 17, and 22), "control data" (Claims 19-21 and 24), "holding

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register” (Claim 22), “a chip card with a microprocessor, two storage registers, and a memory” (Claim 28), “transfers to one or more casinos” (Claim 29), “transfer funds from one currency to another” (Claim 29), “transfer funds to and from separate accounts held by one or more casinos” (Claim 29), “continuous voice recognition” (Claim 32), “retina scanning” (Claim 32), “digital face image facial compaction” (Claim 32), “series of pop-up screens for the user” (Claim 33), “pop-up screens for the dealer” (Claim 34) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 objected to for using the improper transitional phrase “being characterized in that:” which is not language in accordance with the transitional phrase language dictated by US Patent Practice.

Claim 2 objected to because the phrase card interface lacks proper antecedent basis. Claim 2 recites the limitation "card interface" in line 3. There is insufficient antecedent basis for this limitation in the claim as the basis is more narrow in that the interface is defined as a card reader/recorder interface.

Claim 3 objected to because the phrase card interface lacks proper antecedent basis. Claim 3 recites the limitation "card interface" in line 3. There is insufficient antecedent basis for this limitation in the claim as the basis is more narrow in that the interface is defined as a card reader/recorder interface.

Claim 4 objected to for using the improper transitional phrase "being characterized in that:" which is not language in accordance with the transitional phrase language dictated by US Patent Practice.

Claim 5 objected to because of the following informalities: The claim uses a plethora of undefined acronyms such as ISDN, ASDL, and IP. The use of such acronyms without defining them in the claim can lead to confusion as the meanings of the acronyms may not be immediately known as well as the fact that the meanings of commonly known acronyms have been known to change over time.

Claim 6 objected to because the phrase card interface lacks proper antecedent basis. Claim 6 recites the limitation "card interface" in line 4. There is insufficient antecedent basis for this limitation in the claim as the basis is more narrow in that the interface is defined as a card reader/recorder interface.

Claim 10 is objected to because the usage of bulleted points in a claim is improper and fails to conform to the claim language dictated by US Patent Practice. Further, the claim uses a plethora of undefined acronyms such as EPROM and BIOS. The use of such acronyms without defining them in the claim can lead to confusion as the meanings of the acronyms may not be immediately known as well as the fact that the meanings of commonly known acronyms have been known to change over time.

Claim 11 uses an undefined acronym EFTPOS. The use of such an acronym without defining it in the claim can lead to confusion as the meanings of the acronyms may not be immediately known as well as the fact that the meanings of commonly known acronyms have been known to change over time.

Claim 22 objected to for using the improper transitional phrase “the method involving:” which is not language in accordance with the transitional phrase language dictated by US Patent Practice.

Claim 29 objected to for lacking a proper transitional phrase. No phrase is present to outline that which is to be claimed in the body of the claim. Further, claim 29 is objected to for having an improper antecedent basis in stating “the account” in line 8. There are two accounts discussed in the limitation and it is unclear as to which account is being referenced.

Claim 31 uses an undefined acronym ADSL. The use of such an acronym without defining it in the claim can lead to confusion as the meanings of the acronyms may not be immediately known as well as the fact that the meanings of commonly known acronyms have been known to change over time.

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-27 and 29-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical errors.

Regarding claim 1 and those dependent therefrom, the claim appears to be a hybrid claim with the preamble and claim body inconsistent. The preamble seems to be that of a system according a structure and the body is a series of steps according a process. A rewrite is suggested clarifying either an apparatus or a method by amending the claim language with the preamble matching the body. Furthermore, the usage of and/or renders the claim indefinite in that one of ordinary skill in the art would not understand what is exactly encompassed by the preamble of the claim.

Regarding claim 2 and those dependent therefrom, the word "means" is not preceded by a modifier. An empty means clause therefore exists. Since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Regarding claim 3 and those dependent therefrom, the usage of and/or (lines 8, 11 and 12) renders the claim indefinite in that one of ordinary skill in the art would not understand what is exactly encompassed by the body of the claim.

Regarding claim 4 and those dependent therefrom, the usage of and/or (lines 5, 8 and 9) renders the claim indefinite in that one of ordinary skill in the art would not understand what is exactly encompassed by the body of the claim.

Regarding claim 10, the usage of and/or (line 2) renders the claim indefinite in that one of ordinary skill in the art would not understand what is exactly encompassed by the body of the claim. Further the phrase "eg." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claim 17 and those dependent therefrom, the claim appears to be a hybrid claim with the preamble and claim body inconsistent. The preamble seems to be that of a method according a process and the body is a combination of a system according apparatus and a method according process. A rewrite is suggested clarifying either an apparatus or a method by amending the claim language with the preamble matching the body.

Regarding claim 22 and those dependent therefrom, the claim appears to be a hybrid claim with the preamble and claim body inconsistent. The preamble seems to be that of a method according a process and the body is a combination of a system according apparatus and a method according process. A rewrite is suggested clarifying either an apparatus or a method by amending the claim language with the preamble matching the body.

Regarding claim 27 and those dependent therefrom, the word "means" is not preceded by a modifier. An empty means clause therefore exists. Since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Regarding claim 29 and those dependent therefrom, the listing of examples in parenthesis renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Furthermore, the usage of the phrase "other electronic identification" (line 13) renders the claim indefinite because it is unclear what limitations of electronic identification are parts of the claimed invention. Further, claim 29 recites the limitations "transfer funds from one currency to another at the beginning, during and

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at the completion of a gambling session" in lines 6-7. There is insufficient antecedent basis for this limitation in the claim. This limitation is not properly supported in the written disclosure.

Regarding claim 31, the phrase "eg." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102/103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-2, 17-18 and 28, as best understood, are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Gressel (US Patent No. 6,311,272).

Gressel discloses a system where access is conditional upon a player employing an electronic purse (Column 15, lines 66-67; Column 16, lines 1-3) in a player chip-card with pre-recorded biometric data (Column 3, lines 65-67; Column 4, lines 11-17). Access to the services is further conditional upon a matching of the biometric data derived from the player with pre-recorded data (Column 1, lines 35-48). Following access being granted, the monetary transactions are enacted using the player purse (Column 15, lines 66-67; Column 16, lines 1-3). Furthermore, Gressel includes a reader/recorder interface provided to read data from the smart card (FIG 1A, reference 20) at the time of intended access and for matching the read data to pre-recorded data (Column 1, lines 49-54). Access is terminated when the user is complete with the transaction and removes the smart card from the terminal (Column 14, lines 16-20).

In re Swinehart 169 USPQ 226 (CCPA) states there is nothing intrinsically wrong with defining something by what it does rather than by what it is; attempts to distinguish over a reference by emphasizing a property or function not mentioned in the reference or mere recitation of newly discovered function or property, inherently possessed by the device in prior art, does not cause claims drawn to those things to distinguish over prior art. PTO possesses authority to require Applicant(s) to prove that subject matter shown to be in prior art does not possess functional characteristic Applicant relies on. Furthermore, In re Swinehart conveys "Functional" terminology may render claim quite broad; by its own literal terms, claim employing such language covers any and all embodiments which perform recited function.

In re Echerd 176 USPQ 321 (CCPA) repeats Swinehart, above.

Both the device claimed by Applicant and the “biometric method” disclosed by Gressel are used for the purpose of automatically verifying the identity of a person seeking to access financial accounts to complete monetary transactions using a smart card (Column 2, lines 20-23). It would be within the scope of Gressel that the monetary transactions disclosed be for that of a gaming wager. One skilled in the art would use the Gressel device in a gaming environment as it provides secure access to financial information based upon biometric identity, not information that is provided by the user. One would be motivated to use this device because of this security as well as the ease of adaptability into a gaming environment.

Claim Rejections - 35 USC § 103

Claims 1-34, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Vuong et al. (US Patent No. 5,762,552) in view of Crevelt et al. (US Patent No. 5,902,983) and Harkin (WO 99/28701), Gressel (US Patent No. 6,311,272), Kawan (US Patent No. 5,796,832), and Stock et al. (US Patent No. 6,011,858) viewed collectively.

The invention disclosed and claimed in this application is a smart card method using biometrics to control the transfer of monetary wagers in gaming. The chip card incorporates an electronic purse where the player does not have to be identified to the casino. The use of the chip card is also used in remote gaming where the players have audiovisual capabilities and use player based station capable of reading the chip cards. Conditions can also be placed on the wagering in that the time when games can be accessed as well as the maximum bet can be restricted.

The invention also discloses the use of croupier-mediated play where access to the player station is conditional upon the matching of biometric parameters from the player. Each player station includes a station in which the player's card must be mounted. A biometric can be read either from a device mounted to the station or from a reader on the card itself. If a biometric match occurs, the value of the electronic purse is transferred to the card reader dock or a secure register where the croupier can access it. At the end of the game, all wins and losses are settled by an electronic transfer.

The croupier station also includes a chip card that is inserted by the croupier and also uses biometric means to identify the croupier. The croupier purse can then access casino funds. The player station can also include a direct access to the player's bank wherein funds can be transferred directly from the player's bank into the smart card to establish a purse.

A variety of measures are taken to ensure system integrity including one or more of the following: 1) unauthorized substitution or modification of player station hardware 2) attempts to read, access, or change system files in the player station 3) unauthorized substitution or modification of croupier station hardware or 4) unauthorized attempts to access read or change system files in the croupier station. Further, the data communications are encrypted.

A supplier that undertakes the initial biometric identification of the player and records the biometric data in the card and can load the card with a purse provides the smart card to the player.

The croupier in the electronic game acts the same as the one in a conventional game. The cards dealt to each player are conveyed electronically as is all information dealing with the game. The croupier is responsible for the management of a game, recording bets, and overall control.

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The placing of bets is communicated electronically. By individual interaction with the croupier, each player transfers the bet money to the croupier to cover the amount of the wager. Any amount remaining the player's account at the end of the game is transferred back to the player purse. The system can occur without a croupier where payments are made directly to the winning player.

Through the disclosure of Vuong et al. (US Patent No. 5,762,552) and Harkin (WO 99/28701), Gressel (US Patent No. 6,311,272), Kawan (US Patent No. 5,796,832), Stock et al. (US Patent No. 6,011,858) viewed collectively such a gaming system is disclosed.

Vuong et al. discloses a gaming system where ^{multiple linked over a comm. system} players can access a game played remotely ^{against a casino or other players} (Abstract). The players are provided with a remote video game machine that can accept a card to ^{that serves as a player card interface to read} represent a wager (Abstract). Each player station can access a plurality of casino stations ^{card data} representing a plurality of games controlled by croupiers, as they are live games (Abstract). The ^{is} broadcast of the game on the gaming machine is of quality feed comprising both audio and video ^{to the player to allow} signals (Abstract). Once a game is selected, the player is presented with a video representation ^{of the possible bets on the gaming machine and can use their card to place the bet (Abstract).} of the possible bets on the gaming machine and can use their card to place the bet (Abstract). ^{Thus, the value w/in the purse is accessed & money is transferred to place the bet.} Once the bet is placed, it is recorded in a register in memory (Abstract). At the end of the game, if the bets placed by the players are determined to be winners, the appropriate winnings are calculated and returned to the player as a credit on their account. If the bets are not winning, the appropriate deductions are made from the credit account. (Abstract). Credit accounts are used to pay if the gaming machine is disposed in a remote location as it is impractical to collect currency from widely distributed locations (Column 2, lines 66-67; Column 3, lines 1-2). The system also includes means and measures to ensure the system integrity including a disconnection if a

As Vuong et al discloses a number of players are involved (C1, lines 5-10) the system would thus permit communication b/w the players as multiple players can access the same live games

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security violation occurs in the system (Column 9, lines 27-35). While what comprises a security violation is not explicitly named the disclosed security violations by the Applicant are well known in the art to be flagged security violations and thus would have been obvious. The

R4 → network manager serves as a croupier as it is a medium between the player and the game (Column 7, lines 66-67; Column 8, lines 1-26). The network manager is in charge of checking credit and establishing connections and account balances. The network manager can also access casino funds as it credits winning players (Abstract). *seeming as the croupier participating in the game by being*
It thus receives, displays, & transmits info
R5, the network of young is capable being an ISP (CS, line 25-30)

R 15, 16 Vuong et al. does not disclose placing limits on the spending of the player via the credit accounts. However, such limits are well known as a means to not allow a player to access an entire account or credit line during gambling. This concept is also disclosed by Crevelt et al.

Crevelt et al. states that with unlimited access to funds, a small minority of susceptible individuals will tend to overextend themselves and by allowing such individuals to have direct and easy access to their entire bank accounts could be financially ruinous (Column 2, lines 19-22). Thus Crevelt et al. discloses setting limits upon the players to allow the player's to use a smart card, but at the same time not allow an over-extension of their budgets (Column 2, lines 31-37). Thus, the incorporation of any control data aimed at keeping people from over-extending their budget would have been obvious to the system of Vuong et al. as disclosed by Crevelt et al. as a means to protect against rash decisions by some player to divert large amount of their savings to gaming (Column 2, lines 25-30).

though young essentially a pure w/ the credit card system, n actual
 However, Vuong et al. do not disclose the usage of a smart card with a purse that is granted access on the basis of biometric parameters. Nor, does Vuong et al. disclose the use of

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such a card on the croupier station. Further, Vuong et al. does not disclose the card being able to read the biometric data itself.

Through the combined disclosure of Harkin (WO 99/28701), Gressel (US Patent No. 6,311,272), Kawan (US Patent No. 5,796,832), and Stock et al. (US Patent No. 6,011,858) a credit access card with a purse and biometric identity is disclosed.

Harkin, Gressel, Kawan, and Stock et al. all disclose a smart card that uses biometrics to identify the user and can be used to provide a more secure verification that the possessor is actually the true user of the card.

RP Gressel disclose a system where a chip card is used to make financial transactions and includes an electronic purse (Column 15, lines 66-67; Column 16, lines 1-3). The chip card includes means to make sure communications are safe (Column 2, lines 27-30; Column 4, lines 26-30) as well as using a suspect listing that keeps track of various system integrity issues (Column 14, lines 42-44). The system issues a card from a supplier that undertakes the initial biometric identification and records the biometric data in the card (Column 3, lines 50-67; Column 4, lines 1-17). The employee that grants access is also required to use a biometric identifying in order to access the system (Column 3, lines 50-60).

Stock et al. disclose a very similar chip card as the one disclosed by Gressel. The chip card of Stock et al. is a programmable card used to hold personal information and biometrics to identify the true holder of the card (Abstract). The disclosed card of Stock et al. also prevents personal information from being accessed so the holder can remain anonymous if desired (Abstract). Stock et al. also provide a motivation for using a biometric protected card over conventional credit cards. Stock et al state that currently, commercial credit card transactions are

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handled in a manner that provides only a minimum level of security (Column 1, lines 12-15).

Further, Stock et al teach that by using strengthened security measures, such as biometrics, to adequately protect users of cards, the user would then feel comfortable using the cards for a wider range of activities including credit card and bank accounts (Column 2, lines 30-35).

Stock et al. also disclose that the card can be used on POS terminals with a memory reader that would extract a biometric template and compare it to a current template and if it determines the user is the true holder, access to cash accounts on the memory card will be accessed and debited to cover the purchase (Column 7, lines 37-48). In this manner, the card serves as a debit purse (Column 4, line 38).

Kawan teaches of a very similar smart card as well. Kawan incorporates a smart card to verify the authorization of transactions using biometrics (Column 8, lines 52-53)). Further, this smart card is used not only for authorization but also to maintain a secure record of available funds in the form of a purse (Abstract).

Lastly, Harkin teaches of another similar smart card. The card of Harkin incorporates a sensor on the card to actually compare the biometric parameter to that of the one stored within the cards memory (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the smart card disclosed collectively by Gressel, Stock et al., Kawan, and Harkin into the system of Vuong et al. One of ordinary skill in the art would be motivated to do this because firstly Vuong et al. already accepts credit cards so the incorporation of a smart card would have been an obvious adaptation over the allowance of credit cards. Secondly, one would be motivated to do this because as disclose by Stock et al. the user has a higher level of comfort using a card with a

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strengthened security measure. Lastly, by requiring the croupier station to use a card with biometric access, as disclosed by Gressel, greater security would be afforded to the casino as it would ensure the proper people were accessing the station as it has access that would be undesirable to fall into the wrong hands.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,959,277: Gaming system operable with general purpose charge cards teaches of using charge cards in a gaming environment to access monetary accounts for wagering

US Patent No. 5,669,817: Gaming system where players play a live table game with the croupier and the players each using an electronic station.

US Patent No. 5,800,268: Teaches of participation in a live card game using a gaming machine with remote access to the game.

US Patent No. 5,429,361: Gaming machine that allows communication to a central processor and allows the use of credit cards.

US Patent No. 5,919,091: Gaming machine with credit cards means to allow player to access a smart card account for credit and debit in gaming.


Biometric Identification: Article that discloses the advantages and methods used in biometric identification.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Marks whose telephone number is (703)-305-7497. The examiner can normally be reached on Monday - Friday (7:30AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, V. Martin-Wallace can be reached on (703)-308-1148. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9302 for regular communications and (703)-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1148.


cmm

March 6, 2003



**MICHAEL O'NEILL
PRIMARY EXAMINER**